

# Morgan Lewis

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May 15, 2020

**MEMO ENDORSED**

**VIA ECF**

Honorable Denise L. Cote  
United States District Court  
Southern District of New York  
500 Pearl St.  
New York, NY 10007

Re: Federal Trade Commission, et al. v. Vyera Pharmaceuticals, LLC, et al., No. 1:20-cv-00706-DLC

Dear Judge Cote:

In accordance with Section 1.A of Your Honor's Individual Practices, I write on behalf of all parties to the above-captioned matter to jointly and respectfully request an extension of the date by which we must file a letter with the Court identifying unresolved disagreements related to interrogatories and document requests from May 22, 2020, to June 19, 2020.

By way of background, on March 24, 2020, Your Honor entered a Pretrial Scheduling Order (the "Scheduling Order") in this matter. *See* ECF No. 74. In accordance with Paragraph 6 of the Scheduling Order, the parties exchanged initial interrogatories and document requests on May 1, 2020. The parties are now preparing responses and objections to serve on or before June 1, 2020, pursuant to Federal Rules of Civil Procedure 33(b)(2) and 34(b)(2)(A).

The Scheduling Order also directs the parties to submit a letter by May 22, 2020, "identifying any objections or disagreements that they have been unable to resolve in responding to each other's Interrogatories and Requests." Scheduling Order ¶ 7. Because the letter deadline precedes the deadline to serve responses and objections, the parties will have neither had an opportunity to evaluate each other's responses and objections nor to meaningfully meet and confer to resolve any ensuing disagreements by May 22, 2020.

The parties have conferred and concluded that an extension of the May 22, 2020, deadline for submission of the letter to the Court until June 19, 2020, would afford the parties sufficient time to work together cooperatively through a meet-and-confer process to address any objections or disagreements following the exchange of responses and objections on June 1, 2020. The parties would identify any remaining disputes for the Court through a letter submission on June 19, 2020.

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Accordingly, the parties jointly and respectfully request an extension of time, from May 22, 2020 to **June 19, 2020**, to submit a letter to the Court "identifying any objections or disagreements that they have been unable to resolve in responding to each other's Interrogatories and Requests."

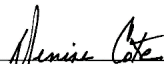
Respectfully submitted,



Steven A. Reed

*Counsel for Defendants Vyera Pharmaceuticals,  
LLC and Phoenixus AG*

Granted. 5.18.2020.

  
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DENISE COTE

United States District Judge

CC: All Counsel of Record